

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
Greenbelt Division

LERON HUSBANDS,

Plaintiff

v.

**FINANCIAL MANAGEMENT
SOLUTIONS, LLC, ET. AL.,**

Defendants

Case No. _____

Removed from the Circuit Court for Prince George's County Case No. CAL20-11793

NOTICE OF REMOVAL
Federal Question Jurisdiction

Defendant, Dreyfuss Management, LLC ("Dreyfuss"), by undersigned counsel, pursuant to 28 U.S.C. §1441 and 1446, and Local Rule 103.5, hereby provides Notice of Removal of the above-captioned case from the Circuit Court for Prince George's County to the United States District Court for the District of Maryland. Removal is based upon 28 U.S.C. §1331 (Federal Question Jurisdiction) and 28 U.S.C. §1337 (Supplemental Jurisdiction). The grounds for this Notice are as follows:

1. On April 21, 2020, Plaintiff filed a Complaint against Defendants Dreyfuss, Financial Management Solutions, LLC ("FMS"), and Jeffrey Hausfeld, M.D. which alleged violations of 42 U.S.C. § 1981 (Count I), Md. Code Ann., Courts & Jud. Proc. §§10-401, et seq. (Count II), and Md. Code Ann., Labor & Employment §§3-501, et seq. (Count III).
2. Removal to this Court is proper, pursuant to 28 U.S.C. §1441(a), inasmuch as Count I alleges a cause of action against Dreyfuss for violation of 42 U.S.C. §1981, a federal statute.

3. This Notice of Removal is being filed in the United States District Court for the District of Maryland, Southern Division, the Federal District Court embracing the State Court where the Complaint was filed. *See* 28 U.S.C. §100(2).

4. Removal to this Court is timely. The Complaint was filed on April 21, 2020. On November 2, 2020, the court re-issued a Summons for Dreyfuss which was served on November 17, 2020. This Notice of Removal is being filed on December 15, 2020, within thirty days after service on Dreyfuss, statutory period set forth in 28 U.S.C. §1446(b)(3).

5. All procedural requirements have been met. Contemporaneously filed herewith are copies of all “process, pleadings, documents, and Orders” served upon Dreyfuss, as well as “all filings in the State Court Action” which are attached hereto as Exhibits. *See* 28 U.S.C. §1446(a); Local Rule 103(5)(A). Also attached, as Exhibit B, is a copy of the Notice of Removal to the United States District Court that Defendant Dreyfuss will file in the Circuit Court for Prince George’s County and will promptly serve upon Plaintiff.

6. This Court has “original jurisdiction of all civil actions arising under the Constitution, laws, or treatises of the United States.” 28 U.S.C. §1331. Pursuant to 28 U.S.C. §1441(a) “[e]xcept as otherwise expressly provided by Act of Congress, any civil action brought in a State Court of which the District Courts of the United States have original jurisdiction, may be removed by the Defendant or the Defendants, to the District Court of the United States for the District and Division embracing the place where such action is pending.” 28 U.S.C. §1441(a). Plaintiffs’ assertion of a claim under 42 U.S.C. §1981 renders this action one over which the United States District Court has original jurisdiction pursuant to 28 U.S.C. §1331.

7. To the extent that the Complaint alleges claims that do not involve 42 U.S.C. §1981, this Court has supplemental jurisdiction over all such claims pursuant to 28 U.S.C. §§1367(a) and 1441(c).

8. Defendants, FMS and Dr. Hausfeld, have expressly consented to the removal of this action from the Circuit Court for Prince George's County to the United States District Court for the District of Maryland pursuant to 28 U.S.C. §1441(c)(2).

WHEREFORE, having satisfied all requirements for removal under 28 U.S.C. §§1441 and 1446, including the presence of all jurisdictional requirements established by 28 U.S.C. §1331, Dreyfuss respectfully requests that this Notice of Removal be accepted, and that the above referenced Circuit Court action be removed to the United States District Court for the District of Maryland.

Respectfully submitted,

/s/Shirlie Norris Lake

Shirlie Norris Lake (01705)
ECCLESTON & WOLF, P.C.
Baltimore-Washington Law Center
7240 Parkway Drive, 4th Floor
Hanover, MD 21076-1378
(410) 752-7474 (phone)
(410) 752-0611 (fax)
E-mail: lake@ewmd.com
Attorney for Defendants

/s/Alexander V. Cranford

Alexander V. Cranford (21218)
ECCLESTON & WOLF, P.C.
Baltimore-Washington Law Center
7240 Parkway Drive, 4th Floor
Hanover, MD 21076-1378
(410) 752-7474
(410) 752-0611 (fax)
E-mail: cranford@ewmd.com
Attorney for Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 15, 2020, copies the foregoing NOTICE OF REMOVAL was served by first-class mail, postage prepaid to:

Neil R. Lebowitz, Esq.
Lebowitz Law Firm
8180 Lark Brown Road, Suite 200
Elkridge, Maryland 21075
neil@lebowitzlegal.com
Counsel for Plaintiff

David J. Lacki, Esq.
2 Wisconsin Circle, Suite 700
Chevy Chase, Maryland 20815
djlacki@lackico.com
Attorney for Defendant Hausfeld

/s/Shirlie Norris Lake

Shirlie Norris Lake (Bar Number)